
Chapter 17

ENFORCEMENT OF EXISTING REGULATIONS

Ideally, people and interests affecting wild steelhead habitat and partaking in fisheries would voluntarily comply with regulations and programs designed to protect wild populations. However, since full understanding and compliance rarely occurs, enforcement mechanisms are needed to improve accountability and protect steelhead resources. Increased protection of wild steelhead results when existing laws and regulations are enforced. Consistent with the Joint Cabinet's statewide salmon strategy framework, the Lower Columbia Steelhead Conservation Initiative (LCSCI) will provide a framework for key enforcement needs to be identified and prioritized for action by state, federal, and local agencies having appropriate authority. Communication and coordination within and between entities regarding these priorities will help shape a comprehensive but focused enforcement strategy for the LCSCI area.

Enforcement has a key role in protecting steelhead habitat. Enforcement, educational outreach, technical assistance, and financial incentives are all inter-related tools that must be available and used to achieve compliance with laws and regulations that are designed to protect steelhead habitat. Effective protection of existing habitat is generally a less costly strategy than restoring habitat that has been degraded.

Enforcement is essential to the fairness of regulatory approaches. Without effective enforcement, those who choose to ignore regulations or refuse to cooperate in working toward compliance have an unfair advantage over those who voluntarily work to comply. Effective enforcement ensures a more equitable sharing of the costs of compliance and that the objectives of regulation in protecting habitat are achieved.

Enforcement efforts will be used to ensure compliance with existing regulations that apply to the protection of steelhead habitat. Effective enforcement must occur from gravel-to-gravel; it must be applied when steelhead are spawning and continue until the offspring of those spawners return. No single agency can address all of the places and times that wild steelhead are present. Effective enforcement must be a shared responsibility. Coordination across governments (federal, tribal, state, county, and city) will ensure resources are used wisely, overlapping efforts are minimized, and the maximum benefits of enforcement are realized through teamwork.

Enforcement teamwork will be further enhanced through watershed planning that addresses the protection of fish habitat. As governments and other stakeholders create partnerships for watershed planning and implementation, enforcement by agencies responsible for existing laws and regulations to protect habitat will be a key implementation tool. Enforcement will be used as a tool to build partnerships for watershed planning and to support the implementation of watershed plans.

Steelhead fishery regulations are designed by WDFW and adopted by the Fish and Wildlife Commission to protect juvenile and adult fish and provide recreational opportunity consistent with conservation needs. Steelhead protection occurs using time, area, size, and selective fishery restrictions. Fishery regulations are regularly discussed, published, and posted in local areas. However, full compliance with existing fishing regulations is not the norm. Field enforcement officers regularly patrol waters in the LCSCI area for compliance with sport and commercial harvest regulations. Increasing the level of patrol effort, coupled with a public involvement/media campaign emphasizing the plight of wild steelhead in the LCSCI area will improve compliance with existing fishery regulations and bolster the protection of wild steelhead.

The status of fishery enforcement activities for all stocks in the LCSCI will be reviewed to assess needs and opportunities for increased emphasis and coordination. Initially, this analysis will pay particular attention to watersheds and stocks of greatest concern (e.g., summer steelhead). It will also identify those areas, stocks, and steelhead life history stages (e.g., juvenile or adult) where increased enforcement effort would be most likely to have the greatest beneficial impact.